

JOHN W. TAYLOR.

[To accompany Bill H. R. No. 283.]

MARCH 7, 1860.

Mr. VANDEVER, from the Committee on Public Lands, made the following

REPORT.

The Committee on Public Lands, to whom was referred the petition of John W. Taylor, report:

That the facts in this case are as set out in the petition, as follows:

To the honorable the Senate and House of Representatives in Congress assembled:

The petition of John W. Taylor, of the city of Dubuque, and State of Iowa, respectfully represents: That on the 22d day of March, 1852, Congress passed an act declaring all bounty land warrants assignable, and all valid certificates of location made with land warrants were also made assignable. By the same act, persons having pre-emption rights were authorized to locate the same with land warrants. That the then Commissioner of the General Land Office, Hon. John Wilson, construed said law as permitting locations made by pre-emptors as well as others to be assigned. That he accordingly issued instructions to that effect to the registers and receivers throughout the United States, in October, 1852. In accordance with said instructions, quite a number of entries were made by pre-emptors in the years 1852 and 1853, which were afterwards assigned to other parties. The entries so made and assigned were all duly patented to the assignee as they were reached in their order in the General Land Office, until 1856, when the Secretary of the Interior overruled the opinion of the Commissioner, and decided that the law did not recognize assignments by pre-emptors, and from that time to the present patents have been withheld.

Your petitioner represents that he holds a certificate of location assigned as aforesaid, and that the Secretary of the Interior declines to patent it to him. Your petitioner further says, that the Hon. J. Thompson, Secretary of the Interior, declares it as his opinion that equity and good faith require that parties situated as your petitioner should have their patents, and will recommend the passage of a law which will authorize him to issue the patents to your petitioner, and others similarly circumstanced. He therefore prays your honorable

bodies to pass a law which will enable the Secretary of the Interior to conform to the instructions originally given by the Commissioner of the General Land Office. And as in duty bound will ever pray.

JOHN W. TAYLOR.

DUBUQUE, IOWA, *February 8, 1860.*

The above petition is verified by letters of Hon. J. Thompson, Secretary of the Interior, and Hon. Jos. S. Wilson, Commissioner of the General Land Office. Your committee recommend that the prayer of the petitioner be granted; but inasmuch as there are some other persons similarly situated, they recommend the passage of the following bill, which has been prepared under the direction of the Commissioner of the General Land Office.

DEPARTMENT OF THE INTERIOR,
Washington, February 27, 1860.

SIR: I have the honor to acknowledge the receipt of your letter of the 24th instant, enclosing for examination the petition of John W. Taylor, of Iowa, and in reply to enclose the report of the Commissioner of the General Land Office in the matter, of this date, accompanied by the draft of a bill for the relief of certain assignees of pre-emption land claims.

The views of the Commissioner of the General Land Office are concurred in by this department.

Very respectfully, your obedient servant,

J. THOMPSON, *Secretary.*

Hon. W. VANDEVER,
Com. of Public Lands, U. S. House of Reps.

GENERAL LAND OFFICE,
February 27, 1860.

SIR: I have the honor to return herewith a letter of the 24th instant to your address from Hon. Wm. Vandever, chairman of the House Committee on Public Lands, with the petition of John Taylor, asking Congress to authorize the issuing to him a patent as the assignee of a *pre-emption* location, and to report as instructed; that the Commissioner of the General Land Office, on the 19th day of October, 1852, *did* issue instructions to local land officers, deciding that assignments of pre-emption bounty land warrant locations were as valid as those made at ordinary private entry; that many locations of that character were afterwards assigned and patents issued to the assignees, and continued to be so issued till the 21st of May, 1856, at which date the Secretary reviewed the whole subject, and decided that pre-emption locations were *not assignable* under the act of the 22d of March, 1852; whereupon this office, on May 23, 1856, issued a circular in accordance with the Secretary's decision, copy herewith. The individual petitioner is one of a class of persons whom it is proposed to relieve by

legislation, by authorizing patents to be issued to the assignees of all pre-emption locations assigned under the authority of said instructions of the 19th of October, 1852, and prior to the 21st of March, 1856, the date of the Secretary's letter annulling said instructions. In the opinion of this office such legislation would be just and proper, and in that view I herewith enclose the draft of a bill which it is thought will cover the whole class of cases represented in part by the petition of John Taylor.

Very respectfully, your obedient servant,

JOS. S. WILSON, *Commissioner.*

Hon. JACOB THOMPSON,
Secretary of the Interior.

